

liament passed an Act making lands in all the colonies liable to be taken in execution and sold for the satisfaction of debts. Whatever were the motives for passing this statute, it is certain, that it was most manifestly just in itself; and was such a one as fully met the approbation of the people of Maryland.(k) It at once

(k) "The British merchants," says Governor Pownal, "at times applied to Parliament on the affairs of the colonies. Hence we find enacted the navigation Act, &c. Also Acts: 1. Altering the nature of their estates, by treating real estates as chattels; 2. Restraining them from manufactures; 3. Regulating their money; 4. Altering the nature of evidence in the Courts of common law, by making an affidavit of a debt before the Lord Mayor of London, &c. certified in writing an evidence in their Courts in America; 5. Dissolving indentures, by discharging such of their servants as should enlist in the king's service."—*Pown. Admin. Colonies*, 126—4th edition, published in 1768.

This, to us, most important statute, having a very limited operation upon the interests of the people of England, is so rarely noticed in any of the English law books in use among us, that I have deemed it proper to insert it here entire and verbatim from the British statute book.—5 George 2, c. 7.

"An Act for the more easy Recovery of Debts in his Majesty's Plantations and Colonies in America."

"Whereas his Majesty's subjects trading to the British Plantations in America lie under great difficulties, for want of more easy methods of proving, recovering and levying of debts due to them, than are now used in some of the said Plantations; And whereas, it will tend very much to the retrieving of the credit formerly given by the trading subjects of Great Britain to the natives and inhabitants of the said Plantations, and to the advancing of the trade of this kingdom thither if such inconveniences were remedied.

"May it therefore please your Majesty that it may be enacted, And be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the twenty-ninth day of September which shall be in the year of our Lord one thousand seven hundred and thirty-two, in any action or suit then depending, or thereafter to be brought in any Court of law or equity in any of the said Plantations, for, or relating to any debt or account wherein any person residing in Great Britain shall be a party, it shall and may be lawful to and for the plaintiff or defendant, and also to and for any witness to be examined or made use of in such action or suit, to verify or prove any matter or thing by affidavit or affidavits in writing upon oath, or in case the person making such affidavit be one of the people called Quakers, then upon his or her solemn affirmation, made before any mayor, or other chief magistrate of the city, borough or town corporate in Great Britain, where or near to which the person making such affidavit or affirmation shall reside, and certified and transmitted under the common seal of such city, borough or town corporate, or the seal of the office of such mayor, or other chief magistrate, which oath and solemn affirmation every such man and chief magistrate shall be, and is hereby authorized and empowered to administer; and every affidavit or affirmation so made, certified and transmitted, shall in all such actions and suits, be allowed to be of the same force and effect, as if the person or persons making the same upon oath or solemn affirmation as